

### Amendments To The Claims

This listing of claims will replace all prior versions, and listings, of the claims in the application:

#### Listing of Claims:

Claim 1 (currently amended) An excavating and loading machine having a body with a front end and a rear end, the body being carried on a steerable wheeled ground engaging structure, the machine including an excavating arm mounted at the rear end of the body, and a loading arm ~~which is mounted on the body and extends forwardly of the body, and wherein an operator's cab is provided which is mounted towards the rear end of the body,~~ generally centrally of the body between sides of the machine, ~~and a machine an~~ engine is mounted beneath a bonnet structure towards the front end of the body generally centrally of the body between sides of the machine, and wherein the loading arm is mounted towards one side of the machine and at least over a range of operating positions extends alongside the cab and bonnet structure.

Claim 2 (currently amended) A machine according to claim 1 wherein the loading arm is mounted for up and down movement by one or more actuators, about a generally horizontal axis which is ~~positioned~~ located towards a rear of the operator's cab.

Claim 3 (original) A machine according to claim 2 wherein the loading arm is mounted directly above an axis about which rear wheels of the ground engaging structure rotate.

Claim 4 (currently amended) A machine according to claim 2 wherein the generally horizontal loading arm mounting axis is located above the rear wheels ~~below, or at, or at least~~ and not substantially above, a plane containing an uppermost part of the bonnet structure.

Claim 5 (currently amended) A machine according to claim 1 wherein the loading arm includes a plurality of relatively telescopic sections and a load handling tool support at an end of the loading arm furthest from the body, the support extending laterally with respect to the extent of the arm, in front of the bonnet structure. ~~A machine according to claim 1 wherein the loading arm includes a plurality of relatively telescopic sections and a load handling tool support at an end of the loading arm furthest from the body, the support extending laterally with respect to the extent of the arm, in front of the bonnet structure.~~

Claim 6 (original) A machine according to claim 5 wherein the load handling tool is a loading tool which is removable from the support to enable an alternative tool to be used.

Claim 7 (original) A machine according to claim 5 wherein the loading tool in use, is located generally central in front of the central bonnet structure.

Claim 8 (original) A machine according to claim 1 wherein the excavating arm is mounted at the rear end of the body on a carriage which permits the arm to be moved laterally across the rear of the body into an appropriate position for performing excavating operations.

Claim 9 (currently amended) A machine according to claim 1 in which the excavating arm is mounted ~~on a mounting which permits the arm to rotate about a~~ generally upright axis and about a generally horizontal axis during excavating operations.

Claim 10 (original) A machine according to claim 1 wherein the loading arm is operated by first controls located at a first operating position in the operator's cab, and from which position the operator may drive the machine over the ground on the wheels, whilst the excavating arm is controlled by second controls at a second operating position in the operator's cab, an operator's seat being moveable to enable

the operator to access and use either the first or second controls; depending upon the seat position.